

EXHIBIT C

In The Matter Of:
COURTNEY LINDE, et al v.
ARAB BANK, PLC

SHUKRY BISHARA
Vol. 1
November 13, 2010
Highly Confidential - For Attorneys Eyes Only

European Deposition Services
59 Chesson Road
London W149QS
England
United Kingdom

Highly Confidential - For Attorneys Eyes Only

1

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3
4 COURTNEY LINDE, et al.,

5 Plaintiffs,

6 -against-

7 ARAB BANK, PLC,

8 Defendant.

9 PHILIP LITTLE, et al.,

10 Plaintiffs,

11 -against-

12 ARAB BANK, PLC,

13 Defendant.

14 ORAN ALMOG, et al.,

15 Plaintiffs,

16 -against-

17 ARAB BANK, PLC,

18 Defendant.

19
20
21 VIDEOTAPED DEPOSITION OF

22 SHUKRY BISHARA

23 Volume I

24 Amman, Jordan

25 November 13, 2010

Reported by: BRENDA MATZOV, CA CSR 9243

European Deposition Services

Tel: +44 207 385 0077 www.european-depositions.com

Highly Confidential - For Attorneys Eyes Only

2

1	S. BISHARA - VOL I	
2	ROBERT L. COULTER, SR., FOR	:
3	THE ESTATE OF JANIS RUTH	:
4	COULTER, et al.,	:
5	Plaintiffs,	:
6	-against-	: Case No.:
7	ARAB BANK, PLC,	: CV 05 365 (NG) (VVP)
8	Defendant.	:
9	<hr/>	
10	GILA AFRIAT-KURTZER, et al.,	:
11	Plaintiffs,	:
12	-against-	: Case No.:
13	ARAB BANK, PLC,	: CV 05 388 (NG) (VVP)
14	Defendant.	:
15	<hr/>	
16	MICHAEL BENNETT, et al.,	:
17	Plaintiffs,	:
18	-against-	: Case No.:
19	ARAB BANK, PLC,	: CV 05 3183 (NG) (VVP)
20	Defendant.	:
21	<hr/>	
22	ARNOLD ROTH, et al.,	:
23	Plaintiffs,	:
24	-against-	: Case No.:
25	ARAB BANK, PLC,	: CV 05 3738 (NG) (VVP)
	Defendant.	:
	<hr/>	

Highly Confidential - For Attorneys Eyes Only

3

1 S. BISHARA - VOL I

2 STEWART WEISS, et al., :

3 Plaintiffs, :

4 -against- : Case No.:

5 ARAB BANK, PLC, : CV 06 1623 (NG) (VVP)

6 Defendant. :

7 JOSEPH JESNER, et al., :

8 Plaintiffs, :

9 -against- : Case No.:

10 ARAB BANK, PLC, : CV 06 3869 (NG) (VVP)

11 Defendant. :

12 YAFFA LEV, et al., :

13 Plaintiffs, :

14 -against- : Case No.:

15 ARAB BANK, PLC, : CV 08 3251 (NG) (VVP)

16 Defendant. :

17 VIKTORIA AGURENKO, et al., :

18 Plaintiffs, :

19 -against- : Case No.:

20 ARAB BANK, PLC, : CV 10 00626 (NG) (VVP)

21 Defendant. :

22

23

24

25

Highly Confidential - For Attorneys Eyes Only

119

1 S. BISHARA - VOL I

2 Committee for the Support of the Intifada?

3 A. I'm really not on the same -- I'm not
4 following you. Could you please repeat your
5 question, please?

6 Q. In response to my question, you said that:

7 "We've already discussed that this is
8 called the Saudi Committee."

9 I guess you didn't like my use of the
10 "Saudi Committee for the Support of the Intifada";
11 right?

12 MR. WALSH: I object to the question.
13 Again, quite argumentative.

14 THE WITNESS: No. I -- we've -- we've
15 agreed that there's no project finance here. It's
16 not a project.

17 Q. BY MR. WERBNER: I didn't agree.

18 A. Fine.

19 Q. Okay.

20 A. But it's not a project.

21 Q. Okay. You're sure of that?

22 A. Your question, sir?

23 Q. Are you sure that the Saudi Committee for
24 the Support of the Intifada, as Arab Bank associated
25 with it, was not a project of your bank?

Highly Confidential - For Attorneys Eyes Only

120

1 S. BISHARA - VOL I

2 MR. WALSH: I object to the form of the
3 question.

4 THE WITNESS: The Saudi Committee, sir, is
5 an entity which is governmentally established by the
6 government of Saudi Arabia. We believed then, as we
7 believe now, its sole role is to pass humanitarian
8 and economic and relief aid to the Palestinian
9 Territories.

10 Q. BY MR. WERBNER: Did you do something
11 at anytime to determine whether or not the, quote,
12 "sole goal [sic]," end quote, of the Saudi Committee
13 was to provide humanitarian aid and economic relief
14 to the Palestinian Territories?

15 MR. WALSH: I object to the form of the
16 question.

17 THE WITNESS: Not necessarily.

18 Q. BY MR. WERBNER: Okay. Now, you said that
19 the name is the Saudi Committee.

20 What do you mean by that testimony?

21 MR. WALSH: I object to the form of the
22 question.

23 THE WITNESS: That's what they called
24 themselves, the Saudi Committee. And, eventually,
25 their name was changed, as I said in my affidavit.

Highly Confidential - For Attorneys Eyes Only

128

1 S. BISHARA - VOL I

2 A. Yes.

3 Q. Describe everything that you saw relating
4 to the Saudi Committee for the Support of the
5 Intifada before the lawsuit was filed.

6 MR. WALSH: I object to the form of the
7 question.

8 THE WITNESS: I believe I've already said
9 in -- earlier this morning that I may have seen one
10 or two internal memorandum -- memoranda relating to
11 the services rendered to Arab National Bank in this
12 connection.

13 Q. BY MR. WERBNER: Only one or two pieces
14 of paper? Is that your testimony?

15 MR. WALSH: Asked and answered.

16 THE WITNESS: That is my testimony. Yes.

17 Q. BY MR. WERBNER: Did -- strike that.

18 Have you ever seen a single piece of
19 paper, an e-mail, a memo, a report where Arab Bank
20 discusses the Saudi Committee for the Support of
21 the Intifada?

22 MR. WALSH: I object to the form of the
23 question.

24 THE WITNESS: I have already just said
25 that I may have seen one or two internal memoranda

Highly Confidential - For Attorneys Eyes Only

129

1 S. BISHARA - VOL I

2 re -- regarding the correspondent banking service
3 we were offering to Arab National Bank.

4 Q. BY MR. WERBNER: Were any of those KYC
5 material?

6 A. KYC material would be ably handled by
7 our compliance team.

8 Q. But have you ever seen KYC material
9 related to the Saudi Committee for the Support
10 of the Intifada?

11 A. No.

12 Q. Have you ever heard of the Al-Salah or
13 Saleh -- how would you pronounce that? Al-Salah
14 or Al-Saleh?

15 A. I don't know how I would pronounce it.
16 Depends how it is pronounced.

17 What's the English name?

18 Q. Okay. Well, assume it's an Arabic name.

19 What does "Al-Salah" mean?

20 A. I don't know. I have to read in front
21 of me something.

22 MR. WERBNER: Okay. I'd ask -- are you
23 here as a translator or something?

24 MR. WALSH: Were you --

25 MR. WERBNER: I mean, with all due

In The Matter Of:
COURTNEY LINDE, et al v.
ARAB BANK, PLC

SHUKRY BISHARA
Vol. 3
November 15, 2010
Highly Confidential - For Attorneys Eyes Only

European Deposition Services
59 Chesson Road
London W149QS
England
United Kingdom

Highly Confidential - For Attorneys Eyes Only

418

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COURTNEY LINDE, et al.,

Plaintiffs,

-against-

ARAB BANK, PLC,

Defendant.

:
:
:
:
: Case No.:
: CV 04 2799 (NG) (VVP)

PHILIP LITTLE, et al.,

Plaintiffs,

-against-

ARAB BANK, PLC,

Defendant.

:
:
: Case No.:
: CV 04 5449 (NG) (VVP)

ORAN ALMOG, et al.,

Plaintiffs,

-against-

ARAB BANK, PLC,

Defendant.

:
:
: Case No.:
: CV 04 5564 (NG) (VVP)

VIDEOTAPED DEPOSITION OF
SHUKRY BISHARA
Volume III
Amman, Jordan
November 15, 2010

Reported by: BRENDA MATZOV, CA CSR 9243

Highly Confidential - For Attorneys Eyes Only

419

1 S. BISHARA - VOL III

2 ROBERT L. COULTER, SR., FOR :
3 THE ESTATE OF JANIS RUTH :
4 COULTER, et al., :
5 Plaintiffs, :
6 -against- : Case No.:
7 ARAB BANK, PLC, : CV 05 365 (NG) (VVP)
8 Defendant. :
9
10 GILA AFRIAT-KURTZER, et al., :
11 Plaintiffs, :
12 -against- : Case No.:
13 ARAB BANK, PLC, : CV 05 388 (NG) (VVP)
14 Defendant. :
15
16 MICHAEL BENNETT, et al., :
17 Plaintiffs, :
18 -against- : Case No.:
19 ARAB BANK, PLC, : CV 05 3183 (NG) (VVP)
20 Defendant. :
21
22 ARNOLD ROTH, et al., :
23 Plaintiffs, :
24 -against- : Case No.:
25 ARAB BANK, PLC, : CV 05 3738 (NG) (VVP)
Defendant. :

Highly Confidential - For Attorneys Eyes Only

420

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S. BISHARA - VOL III

STEWART WEISS, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	Case No.:
	:	CV 06 1623 (NG) (VVP)
ARAB BANK, PLC,	:	
	:	
Defendant.	:	
<hr/>		
JOSEPH JESNER, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	Case No.:
	:	CV 06 3869 (NG) (VVP)
ARAB BANK, PLC,	:	
	:	
Defendant.	:	
<hr/>		
YAFFA LEV, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	Case No.:
	:	CV 08 3251 (NG) (VVP)
ARAB BANK, PLC,	:	
	:	
Defendant.	:	
<hr/>		
VIKTORIA AGURENKO, et al.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	Case No.:
	:	CV 10 00626 (NG) (VVP)
ARAB BANK, PLC,	:	
	:	
Defendant.	:	
<hr/>		

Highly Confidential - For Attorneys Eyes Only

482

1 S. BISHARA - VOL III

2 listed as suicide attack was, in fact, accurate
3 or inaccurate?

4 MR. WALSH: I object to the form of the
5 question.

6 THE WITNESS: I beg your pardon. I did
7 not follow your question. I must have -- could you
8 repeat it, please?

9 Q. BY MR. OSEN: Not a problem.

10 Before you signed your declaration in
11 November of 2004, do you know -- or I should say,
12 did you know whether the allegation contained in
13 paragraph 331 concerning the website of the Saudi
14 Committee was, in fact, accurate or inaccurate?

15 A. I have said that I personally have not
16 seen the website. And I cannot make any judgment
17 today as whether it is accurate or not.

18 Q. Well, would the allegation, if true, that
19 the Saudi Committee's website listed martyrs who
20 were to receive payments by a cause of death listed
21 as "suicide attack," would that allegation, if true,
22 be something that you would want to -- would have
23 wanted to know before signing your declaration?

24 MR. WALSH: I object to the form of the
25 question.

Highly Confidential - For Attorneys Eyes Only

483

1 S. BISHARA - VOL III

2 THE WITNESS: Let me say this, Mr. Osen.

3 A, I have not seen the website. If, for any reason,
4 anything was brought to my desk at the time of the
5 event that appears suspicious or appears indicative
6 of something that could facilitate, aid, or abet
7 terror, I assure you I would do something about it.

8 Q. BY MR. OSEN: Well, my question was a
9 little bit different. I was focused on whether,
10 from your standpoint, subjectively, Shukry Bishara,
11 whether the truth of the allegation that the Saudi
12 Committee for the Support of the Intifada Al-Quds
13 website listed payees under the 'martyr' category as
14 having died as a result of suicide operations would
15 have been a significant fact that you would want --
16 would have wanted to know at that time?

17 MR. WALSH: Asked and answered.

18 THE WITNESS: I believe I have just
19 answered it as clearly as I can.

20 Q. BY MR. OSEN: Well, you said, in answer,
21 that if there had been a suspicious -- something
22 that appeared suspicious or -- or appeared
23 indicative of something that could facilitate
24 or aid terrorism, you would have done something
25 about it. But that wasn't actually my question.